

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ERNESTA VILLEGAS, *individually and on behalf of
others similarly situated,*

Plaintiff,

-against-

LEX 1751 INC, *doing business as* A1
LAUNDROMAT; FORTUNE ONE, INC., *doing
business as* AAA LAUNDROMAT; NEKASA, INC.,
doing business as AAA LAUNDROMAT; AAA
LAUNDRY SERVICES, INC., *doing business as*
AAA LAUNDROMAT; KLEENER KING GROUP
INC., *doing business as* AAA LAUNDROMAT;
FAROOQ IMRAN; ABIDA IMRAN; and NEIL
KAPRE;

Defendants.

USDC SDNY
DOCUMENT
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DATE FILED: 02/07/2020

19-CV-6782 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on February 7, 2020, the Court held a hearing on Defendants' failure to
appear or otherwise defend against this action;

WHEREAS counsel for Plaintiff and counsel for all defendants, except Nekasa, Inc. and
Abida Imran, appeared for the hearing;

WHEREAS for the reasons stated at the hearing, Plaintiff's submissions in support of her
motion for default judgment are deficient, including as to the non-appearing defendants;

WHEREAS Plaintiff intends to move to amend her complaint; and

WHEREAS the parties are split on whether a referral to mediation or to the assigned
Magistrate Judge would be more helpful to resolution of this case;

IT IS HEREBY ORDERED that the certificates of default against all defendants except
Nekasa, Inc. and Abida Imran are VACATED.

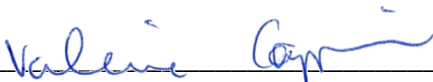
IT IS FURTHER ORDERED that, on or before **February 14, 2020**, the parties must file a joint letter with the Court, indicating whether they would like a referral to mediation or to the assigned magistrate judge for a settlement conference.

IT IS FURTHER ORDERED that Plaintiff must file an amended complaint on or before **February 21, 2020**, and Defendants must answer or otherwise respond to the amended complaint in accordance with Rule 12 of the Federal Rules of Civil Procedure. Because an amended complaint is forthcoming, the counseled defendants need not respond to the current complaint.

IT IS FURTHER ORDERED that, to the extent Plaintiff intends to continue seeking a judgment against Nekasa, Inc. and Abida Imran, it must submit a revised motion for default on or before **March 13, 2020**. Failure to seek a default judgment by the deadline will result in immediate dismissal of those defendants from this case pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

SO ORDERED.

Date: February 7, 2020
New York, New York


VALERIE CAPRONI
United States District Judge